

10-24-2005 04:19pm From-CITIFINANCIAL/LEGAL

T-508 P.003/008 F-831

IN THE CIRCUIT COURT FOR CRENSHAW COUNTY, ALABAMA

JIMMY C. FREE,

Plaintiff

vs.

CASE NO. CV-05-101

CITI FINANCIAL and Fictitious Defendants
 A, B, C, unknown entity or person that aided,
 abated, or conspired with Citi Financial in the
 false reporting of an installment note that was
 past due or that person or entity that made any
 alleged installment note.

SUMMONS

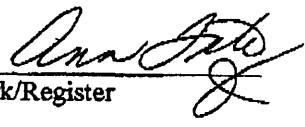
NOTICE TO: CitiFinancial
 c/o The Corporation Company
 2000 Interstate Park Drive, Ste 204
 Montgomery, Alabama 36109

THE COMPLAINT WHICH IS ATTACHED TO THIS SUMMONS IS IMPORTANT AND YOU MUST TAKE IMMEDIATE ACTION TO PROTECT YOUR RIGHTS. YOU OR YOUR ATTORNEY ARE REQUIRED TO FILE THE ORIGINAL OF YOUR WRITTEN ANSWER, EITHER ADMITTING OR DENYING EACH ALLEGATION IN THE COMPLAINT WITH THE CLERK OF THIS COURT. A COPY OF YOUR ANSWER MUST BE MAILED OR HAND DELIVERED BY YOU OR YOUR ATTORNEY TO THE PLAINTIFF OR PLAINTIFF'S ATTORNEY Jon M. Folmar WHOSE ADDRESS IS P.O. Box 642, Luverne, AL 36049.

THIS ANSWER MUST BE MAILED OR DELIVERED WITHIN 14 DAYS AFTER THIS SUMMONS AND COMPLAINT WERE DELIVERED TO YOU OR A JUDGEMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY OR OTHER THINGS DEMANDED IN THE COMPLAINT.

You are hereby commanded to serve this summons and a copy of the complaint in this action upon the Defendant, CitiFinancial, c/o The Corporation Company.

Date 10/7/05


 Clerk/Register

ANN W TATE
 CIRCUIT CLERK
 CRENSHAW COUNTY
 P.O. BOX 167
 LUVERNE, AL 36049

EXHIBIT

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By: _____



I certify I have personally delivered a copy of the Summons and Complaint to CitiFinancial, c/o The Corporation Company in Montgomery County, Alabama on this _____ day of September, 2005.

Date _____

Server Signature

Address of Server

Type of Process Server

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IN THE CIRCUIT COURT FOR CRENSHAW COUNTY, ALABAMA

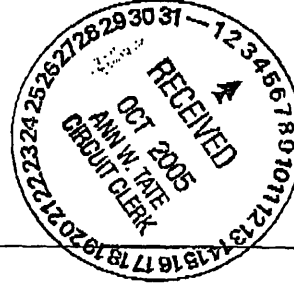
JIMMY C. FREE,

Plaintiff

vs.

CASE NO. 05-05-101

CITI FINANCIAL and Fictitious Defendants
 A, B, C, unknown entity or person that aided,
 abated, or conspired with Citi Financial in the
 false reporting of an installment note that was
 past due or that person or entity that made any
 alleged installment note.



COMPLAINT

1. Plaintiff is an adult resident citizen of Crenshaw County, Alabama.
2. Citi Financial is the entity that negatively reported that the Plaintiff had borrowed \$1,733.00 from them, but did not pay it off.
3. Fictitious Defendant(s) A, B, C are those persons or entities that reported that Jimmy C. Free had borrowed the above money from Citi Financial or in fact borrowed money from Citi Financial in Plaintiff's name and/or aided or assisted in the listing of Mr. Free's debt to Citi Financial as a bad debt or in a collection state or attempted to collect said fraudulent debt from Jimmy C. Free.
4. Plaintiff, while attempting to obtain financing for business purposes, noticed a debt to Citi Financial that he did not owe.
5. Plaintiff began getting harassing telephone calls and letters from collection agents attempting to collect the Citi Financial debt he does not owe.
6. Plaintiff advised the debt collectors that he had not borrowed any money from Citi

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Financial and that they had made a mistake. The debt collectors continued to persist and threatened Plaintiff to pay the Citi Financial debt.

7. Citi Financial knew or should have known that the Plaintiff did not borrow any money from them. However, in spite of the same, the Defendant's negatively reported the Plaintiff had borrowed money from them which he did not repay.
8. The Defendants further negligently failed to keep the Plaintiff's financial information from being stolen or misused by others. The Defendant's willfully, wantonly, and/or negligently reported false dates on the Plaintiff causing him damage.
9. The Plaintiff, as a result of Defendant's negligent, willful, or wanton actions, was injured or damaged as follows:
 - a. He suffered false information being spread about his reputation in his community.
 - b. He has lost his good credit standing.
 - c. He has been required to seek and pay for legal counsel in order to stop the continuing defamation of his character by the Defendants.
 - d. He has been denied credit at good interest rates.
 - e. He has suffered mental anguish and emotional distress.
10. The fictitious Defendants assisted or abetted the Defendant Citi Financial in its efforts.

COUNT ONE

11. Plaintiff realleges all the preceding paragraphs as if stated here in full.
12. The Defendants negligently, willfully, and/or wantonly allowed the Plaintiff's

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private information to be utilized by others which resulted in negative credit information being decimated by the Defendants on the Plaintiff.

13. The Defendant's further exacerbated the harm to the Plaintiff after it was contacted by the Plaintiff and told he did not owe any money to them.
14. The Plaintiff's injuries or damages as set forth herein above were proximately caused by the Defendants actions.

WHEREFORE, Plaintiff demands judgment against the Defendant's in the amount of \$50,000.00 for compensatory damages and \$150,000.00 for punitive damages, plus costs.

COUNT TWO

15. Plaintiff realleges all of the preceding paragraphs as if stated here in full.
16. The Defendant's negligently, willfully, and/or wantonly caused the negative reporting of bad credit information on the Plaintiff which was slanderous, libelous, and defamed the Plaintiff and caused damages as previously stated.

WHEREFORE, Plaintiff demands judgment against the Defendants in the amount of \$50,000.00 for compensatory damages and \$150,000.00 for punitive damages, plus costs.

COUNT THREE

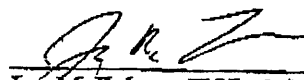
17. Plaintiff realleges all of the preceding paragraphs as if set forth herein fully.
18. Defendant's negligently, wantonly, and/or intentionally reported false or misleading credit information against the Plaintiff in violation of state and federal law.
19. As a proximate result of the Defendant's actions the Plaintiff was injured as set forth herein above.

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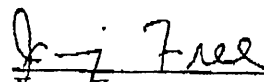
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WHEREFORE, Plaintiff demand that the Defendant's be ordered to pay a civil fine and penalties for each such violation, plus a reasonable attorney's fee and costs.



Jon M. Folmar (FOL007)
Attorney for Plaintiff
Post Office Box 342
Luverne, Alabama 36049
Tel. (334) 335-4809
Fax (334) 335-5170



Jimmy Free